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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

JOY C. ARTER, CV 02-1536-JE

Plaintiff,

vs.

ORDER

COMMISSIONER of Social Security,

Defendant.

Attorney fees in the amount of \$12,755.50 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds this is a reasonable fee. Previously, this court awarded \$7,500.00, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and the claimant has deposited with her attorney an additional fee of \$2,500.00, pending the outcome of the instant fee application. Therefore, when issuing the § 406(b) check, the agency is directed to send to Plaintiff's attorney **at his current address shown above** the amount of **\$2,755.50**, minus the applicable user fee. Any remaining withheld amount which will not be used to pay attorneys' fees should be released to the claimant.

DATED this 3 day of May 2005.


United States District Judge

Presented by: s/ Tim Wilborn, OSB # 94464
(503) 697-7019; Attorney for Plaintiff